

REMARKS

Claims 26-52 were pending as of the action mailed on September 18, 2008. Claims 26, 35, and 44 are in independent form.

Claims 26, 32, 33, 35, 37-42, 44, 50, and 51 are being amended. No new matter has been added.

Claims 27, 34, 36, 43, 45, and 52 are canceled without prejudice.

New claims 53-58 have been added. No new matter has been added. Support for new claims 53-58 can be found, for example, at page 5, line 23 to page 6, line 10.

Reconsideration of the action is respectfully requested in light of the foregoing amendments and the following remarks.

35 U.S.C. §112

Claims 35-43 are rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Specifically, the Office asserts that “claimed computer readable medium is not disclosed in the specification.”

Claims 36 and 43 are canceled rendering the rejections thereof moot.

Claims 35, and 37-42 have been amended to recite “A computer-readable medium having instructions stored thereon, which when executed by at least one processor, cause the processor to perform operations...” Applicants respectfully submit that “a computer-readable medium” is disclosed in the specification as originally filed, on page 7, lines 25-29, and page 8, 10-16. Therefore, withdrawal of the rejection is respectfully requested.

Claims 35-43 are also rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Office asserts “it is not clear what the claimed computer product is.”

Claims 36 and 43 are canceled rendering the rejections thereof moot.

As “a computer-readable medium” is sufficiently disclosed in the specification as originally filed, Applicants respectfully submit that amended claims 35, and 37-42 are not

indefinite under 35 U.S.C. §112, second paragraph. Withdrawal of the rejection is respectfully requested.

35 U.S.C. §102(e)

Claims 26, 32, 35, 41, 44, and 50 are rejected under 35 U.S.C. §102(e) as being anticipated by Bronskill et al. (U.S. Patent No. 7,158,138, hereafter “Bronskill”). Applicants respectfully traverse the rejection based on the amended claims.

Bronskill discloses a method for rendering a warped brush stroke using a bitmap brush image, where the brush stroke is along an arbitrarily curved guideline. (See Bronskill, Abstract, lines 1-3). The stroke path is defined in parametric form $Q(t)=\{x(t), y(t)\}$ with parameter t ($0 < t < 1$) such that the start of the path $Q(t)$ is at $t=0$ and the end of the path is at $t=1$. (Bronskill, column 6, lines 58-63). The mapping of the bitmap brush is accomplished by “transforming the Cartesian (x, y) coordinate system of the bitmap brush such that the x-axis of the bitmap brush is aligned with the path $Q(t)$ of the guideline and the y-axis of the bitmap brush is aligned with the instantaneous normal n to the path $Q(t)$ of the guideline.” (Bronskill, column 6, lines 38-45).

Bronskill also discloses a method for tiling the bitmap brush in the x-direction, such that the bitmap brush is mapped to only a segment of the stroke path at a time. For example, when mapping a bitmap brush having a length of 200 pixels to a guideline having a length of 400 pixels, “it is possible to map the bitmap brush twice to the guideline (the bitmap brush being mapped once along the path $Q(t)$ from $0 \leq t \leq 0.5$ and once again from $0.5 \leq t \leq 1$).” (Bronskill, column 8, lines 45-54).

Furthermore, the bitmap brush disclosed in Bronskill has attributes such as width (W) and height (H), and the guideline has a thickness attribute (T). (See Bronskill, column 6, lines 45-49).

Based on the disclosure of Bronskill, Applicants respectfully submit Bronskill does not disclose amended claim 26.

First, Bronskill does not disclose “an association between a plurality of position values and a first plurality of time values in a time period” and “an association between a plurality of parameter values for the appearance attribute and a second plurality of time values in the time

period," where "the second plurality of time values being variable independently of the first plurality of time values."

Bronskill discloses a stroke path defined in parametric form $Q(t)=\{x(t), y(t)\}$ with parameter t ($0 < t < 1$). Contrary to the Office's assertion that "t is time," Bronskill states that "t" is "a parameter" with a value between 0 and 1, rather than "time." (Bronskill, col. 6, line 61).

Even if "t" was "time" as the Office alleges, Bronskill does not disclose "an association between a plurality of position values and a first plurality of time values in a time period" and "an association between a plurality of parameter values for the appearance attribute and a second plurality of time values in the time period," where "the second plurality of time values being variable independently of the first plurality of time values." For example, suppose $Q(t) = \{x(t), y(t)\}$ defines a stroke path by relating position values (x, y) along the stroke path and "time values" t, mapping a bitmap brush to the stroke path in accordance with the method disclosed in Bronskill relates parameter values (W and H) of the bitmap brush to the same position values (x, y) along the stroke path $Q(t)$. So even if the mapping relates parameter values (W and H) to the same "time values" t through positions along the stroke path $Q(t)$, Bronskill does not disclose "a second plurality of time values being variable independently of the first plurality of time values."

Therefore, Applicants respectfully submit that Bronskill does not anticipate amended claim 26 or amended claim 32 depending from amended claim 26 under 35 U.S.C. 102 (e). Withdrawal of the rejection is respectfully requested.

Amended claims 35, 41, 44, and 50 contain similar features as recited in amended claim 26 and 32, and are similarly not anticipated by Bronskill. Withdrawal of the rejection is respectfully requested.

35 U.S.C. §102(b)

Claims 26-31, 35-40, 44-49 are rejected using 35 U.S.C. §102(b) as being anticipated by Bradstreet et al. (U.S. Pat. No. 5,835,086, hereafter "Bradstreet").

Claims 27, 36, and 45 are canceled without prejudice, rendering the objection thereof moot. Applicants traverse the remaining objection based on the amended claims.

Bradstreet discloses a method for

painting a digital picture using strokes of a digital brush. The painting strokes entered by a user is handled using a “lazy” processing approach, in which a region of the picture being painted is updated according to the entered strokes only when that region is to be displayed for viewing. To this end, the painting strokes are recorded as an ordered sequence of painting steps. The digital picture being painted is partitioned into a plurality of individual regions, and each region is assigned an age which indicates a painting step in the ordered sequence that is last applied to that region. When a region becomes visible, i.e., it is displayed for viewing, the age of the region is checked, and all of the painting steps in the ordered sequence that are after the step indicated by the age of the region are then applied to the region so that it becomes up-to-date. The age of that region is updated accordingly.

(Bradstreet, Abstract).

Based on the disclosure of Bradstreet, Applicants respectfully submit that Bradstreet does not disclose amended claim 26 reciting “a ... plurality of time values in [a] time period” or “an association between a plurality of parameter values and a ...plurality of time values in the time period.”

The Office cited to “AGE(2,6)” in Figure 5 of Bradstreet as “a time period,” and AGE(3,8) as “a second time period” (see Office Action, page 5). The Office Action is not clear as to how AGE(2,6) and AGE(3,8) relate to “a ... set of time values” recited in claim 26 as previously presented. Nonetheless, Applicants address the Office’s interpretation of “AGE” as follows.

Bradstreet discloses that “a series of brush strokes entered by the user in the painting process is recorded in a brush stroke table...” “[E]ach stroke is recorded as a plurality of points.” “For each image involved in the painting process, an age table is set up which stores the ages of the tiles in the image” (i.e., the regions resulted from the partitioning). “The age of each tile identifies the stroke point that is last applied to that tile.” “[A]ge of a tile is expressed in the format (m, n) where m refers to the stroke number and n refers to the point number.” For instance, AGE(8,5) for a tile “indicates that the tile has been modified up to stroke 8 and point

5.” (Bradstreet, column 5, lines 56, to column 6, line 24). Therefore, AGE(2,6), AGE(3,8) are not “a time period,” nor are they “a ... set of time values” as recited in amended claim 26.

Therefore, Applicants respectfully submit that Bradstreet does not anticipate amended claim 26. Allowance of amended claim 26 is respectfully requested. Claims 28-31 depend from amended claim 26, and are allowable for at least the reasons stated above with respect to amended claim 26 and for the independent subject matter recited therein.

Claims 35, 37-40, 44, and 46-49 are computer-readable medium and system claims reciting similar features as claims 26, and 28-31, and are allowable for at least the reasons stated above with respect to amended claim 26 and for the independent subject matter recited therein.

Withdrawal of the rejection is respectfully requested.

Allowable Subject Matter

Claims 33, 34, 42, 43, 51, and 52 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants thank the Office for the acknowledgement of the allowable subject matter in these dependent claims. However, Applicants respectfully submit that amended independent claims 26, 35, and 44 are in condition for allowance for at least the reasons stated in the above sections. Claims 33, 42, and 51 depend from amended claims 26, 35, and 44, and are also in condition for allowance for at least the reasons stated above with respect to amended claim 26 and for the independent subject matter recited therein. New claim 53, 55, and 57 depend from amended claim 26, 35, and 44, respectively; new claim 54, 56, and 58 depend from amended claim 33, 42, and 51, respectively; and all claims are in condition for allowance for at least the reasons stated above with respect to amended claim 26 and for the independent subject matter recited therein.

Claims 34, 43, and 52 are canceled without prejudice and Applicants reserve the right to subsequently claim the allowable subject matter contained therein in this application or a continuing application.

Conclusion

For the foregoing reasons, Applicants submit that all the claims are in condition for allowance.

By responding in the foregoing remarks only to particular positions taken by the Examiner, Applicants do not acquiesce with other positions that have not been explicitly addressed. In addition, Applicants' selecting some particular arguments for the patentability of a claim should not be understood as implying that no other reasons for the patentability of that claim exist. Finally, Applicants' decision to amend or cancel any claim should not be understood as implying that Applicants agree with any positions taken by the Examiner with respect to that claim or other claims.

Commission has been authorized through electronic filing to charge one month extension fee of \$130.00. Please apply any other credits or charges to Deposit Account No. 06-1050, referencing Attorney Docket No. 07844-0603001.

Respectfully submitted,

Date: 12 - 22 - 2008



Daniel J. Burns
Reg. No. 50,222

Customer No. 21876
Fish & Richardson P.C.
Telephone: (650) 839-5070
Facsimile: (650) 839-5071